

**State of California**

**EDUCATION CODE**

**Section 88815**

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88815. (a) There is hereby established the Student Success for Basic Skills Program to be administered by the Chancellor of the California Community Colleges in accordance with subdivision (b).

(b) From funds provided in the annual Budget Act for the Student Success for Basic Skills Program, the Board of Governors of the California Community Colleges shall allocate:

(1) An amount up to 5 percent for faculty and staff development to improve curriculum, instruction, student services, and program practices in the areas of basic skills and English as a second language programs. The office of the Chancellor of the California Community Colleges shall select a community college district, utilizing a competitive process, to carry out these faculty and staff development activities. All colleges receiving funds pursuant to paragraph (2) shall be provided with the opportunity to participate in the faculty and staff development programs specified in this paragraph.

(2) (A) All other funds for grants to community college districts for improving outcomes of students who enter college needing at least one course in English as a second language or basic skills, with particular emphasis on students transitioning from high school.

(B) Funds allocated pursuant to this paragraph shall be expended for any of the following purposes:

(i) Program and curriculum planning and development, student assessment, advisement and counseling services, supplemental instruction and tutoring, articulation, instructional materials and equipment, any other purpose directly related to the enhancement of basic skills, English as a second language instruction, and related student programs.

(ii) To implement or expand upon the use or application of evidence-based practices and principles identified in paragraphs (1) to (6), inclusive, of subdivision (a) of Section 88810.

(iii) To accelerate the adoption and utilization of lower cost, high-quality, open educational resources in English as a second language or basic skills courses.

(iv) To collaborate with high schools, and when applicable, California State University campuses, to better align remedial instruction methodologies, curriculum, and course offerings among local educational agencies, community colleges, and California State University campuses.

(v) To implement assessment and placement practices that increase the likelihood that students are appropriately placed in college-level, rather than remedial, courses.

(C) The funds allocated pursuant to this paragraph shall supplement, and not supplant, current expenditures by community college districts for matriculation and assessment services, basic skills, English as a second language instruction, and related student programs.

(D) To be eligible to receive grant funds pursuant to this paragraph, a community college district shall submit to the office of the Chancellor of the California Community Colleges an application containing a certification that the college will, within the fiscal year, (i) complete a revised assessment of its programs and activities serving basic skills and English as a second language students utilizing the assessment tool developed pursuant to paragraph (1) of Item 6870-493 of Section 2.00 of the Budget Act of 2006 (Chapters 47 and 48 of the Statutes of 2006) and (ii) submit to the office of the chancellor an action and expenditure plan for funds received under this paragraph. The grant application shall also contain the strategies a community college district will implement to improve the successful transition of students to college-level math and English courses. These improvements shall include both increasing the number of students that successfully transition to college-level mathematics and English courses as well as reducing the time it takes students to successfully transition to college-level mathematics and English courses. At a minimum, to be eligible to receive a grant, the community college district's strategy shall include an evidence-based plan for the adoption and implementation of multiple measures of assessment and placement. The office of the chancellor shall prioritize funding grant applications from community college districts that participate in the Community Colleges Basic Skills and Student Outcomes Transformation Program established by Part 54 (commencing with Section 88800), or that subsequently implement or expand upon the use or application of evidence-based practices and principles identified in paragraphs (1) to (6), inclusive, of subdivision (a) of Section 88810.

(E) (i) The Chancellor of the California Community Colleges shall distribute grant funds to community college districts that meet the application criteria in subparagraph (D) on the basis of the following weighted factors:

(I) The percentage of students receiving a Board of Governors fee waiver who first enrolled in a course below transfer level in English, mathematics, or English as a second language, or any combination of these, and subsequently completed a college-level course in the same subject within one year and within two years. This factor shall comprise 50 percent of the allocation formula.

(II) The percentage of students receiving a Board of Governors fee waiver. This factor shall comprise 25 percent of the formula.

(III) The percentage of basic skills full-time equivalent students in courses offered by that community college district using evidence-based practices and principles identified in paragraphs (1) to (6), inclusive, of subdivision (a) of Section 88810. This factor shall comprise 25 percent of the formula.

(ii) The chancellor may include other factors and adjustments as he or she determines necessary to accomplish the objectives of this paragraph.

(iii) The chancellor shall annually notify and receive concurrence from the Department of Finance in consultation with the Legislative Analyst's Office prior to

including additional factors and adjustments pursuant to clause (ii) and prior to apportioning these funds to community college districts.

(iv) The Director of Finance shall notify the Joint Legislative Budget Committee of his or her intent to concur with the use of additional factors and adjustments pursuant to clauses (ii) and (iii).

(v) For purposes of distributing the funds, the chancellor shall establish a minimum allocation of one hundred thousand dollars (\$100,000) per college in the applying community college district.

(F) Notwithstanding subparagraph (E), commencing with the 2016–17 fiscal year, the Chancellor of the California Community Colleges shall adjust the distribution of funds pursuant to subparagraph (E) to ensure that community college districts do not receive less state aid from the Student Success for Basic Skills Program than they received from appropriations for these purposes in the 2015–16 fiscal year.

(G) As a condition of participating in this program, commencing with the 2017–18 fiscal year, the office of the Chancellor of the California Community Colleges shall strongly encourage the five community college districts with the lowest calculated percentages as specified in subclause (I) of clause (i) of subparagraph (E) that participated in this program to apply for a technical assistance team to improve the likelihood that a student is able to expeditiously transition from a basic skills course to a college-level course at that community college district.

(c) (1) The office of the Chancellor of the California Community Colleges shall consult with the Department of Finance and the Legislative Analyst’s Office to develop and recommend annual accountability measures for the program. It is the intent of the Legislature that annual performance accountability measures for the program utilize, to the extent possible, data available as part of the accountability system developed pursuant to Section 84754.5.

(2) On or before March 15, 2020, the office of the Chancellor of the California Community Colleges, in consultation with the Department of Finance and Legislative Analyst’s Office, shall report on the effectiveness of the factors used to allocate funding under this program in improving outcomes for students requiring remediation.

(d) This part shall become operative July 1, 2017.

(Added by Stats. 2016, Ch. 24, Sec. 22. (AB 1602) Effective June 27, 2016.)